

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANN WILSON, as Administrator of the Estate of
SIGRID C. WISWE, Deceased, and on behalf of all
survivors of SIGRID C. WISWE

Plaintiff,

v.

AMERICAN AIRLINES, INC., et al.

Defendants.

Civil Action
03 CV 6968 (AKH)

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MOTION TO SUBSTITUTE PARTY

Plaintiff, by AZRAEL, GANN + FRANZ, LLP, counsel in the above-captioned case for the Estate of Sigrid C. Wiswe, Deceased, and on behalf of all survivors of Sigrid C. Wiswe, pursuant to Fed. R. Civ. P. 25, request that the court substitute Victor M. Turcios as the named plaintiff in the above-captioned action.

The grounds for the Motion are:

1. On April 15, 2002 LETTERS OF ADMINISTRATION on the goods, chattels, and credits of Sigrid Charlotte Wiswe, deceased, late of the county of New York were granted unto Ann Wilson by the Surrogate's Court of the County of New York.
2. In January 2005, Ann Wilson was released as administrator for the estate of Ms. Wiswe by the aforementioned court.
3. On July 8, 2005 LETTERS OF ADMINISTRATION for Sigrid Wiswe's estate were granted unto Victor M. Turcios by the aforementioned court. See copy of

LETTERS OF ADMINISTRATION DE BONIS NON attached hereto as Exhibit

1.

WHEREFORE, the Plaintiff requests that this Honorable court order:

1. That Victor M. Turcios, Administrator of the estate of Sigrid C. Wiswe, be substituted as party plaintiff.
2. That the caption of this case be amended accordingly.

Respectfully Submitted,

July 17, 2007

DATE



JONATHAN A. AZRAEL
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Surrogate's Court
of the County of New York

LETTERS OF ADMINISTRATION DE BONIS NON
The People of the State of New York



Index#2002-0360

To Victor M Turcios send greetings:

WHEREAS, Sigrid Charlotte Wiswe died intestate on September 11, 2001, and

WHEREAS the decree of this court made July 8, 2005 directed the issuance to you of LETTERS OF ADMINISTRATION DE BONIS NON with the limited power however as indicated in the margin hereof upon your qualifying according to law.

NOW, THEREFORE, KNOW YE that you are hereby authorized to administer the estate of the said deceased subject to the jurisdiction and supervision of this court.

****RESTRICTIONS****

These letters authorize the collection only of a total of \$100000.00 dollars.

Any collection above that amount must be authorized by further order of the Surrogate.

The said administrator(s) be and hereby is (are) authorized to submit a claim to the September 11th Victim Compensation Fund of 2001, but is (are) restrained from collecting more than \$50,000 of the proceeds thereof until further order of this court. This authorization does not constitute court approval of the submission of such claim.

These letters with respect to any other cause of action are limited to the power to prosecute and confer no power to compromise the action, collect any settlement or enforce any judgment until further order of this court

WITNESS, Hon Eve Preminger, a Surrogate of the County of New York, this July 8, 2005

Jane Passenant

Jane Passenant

Clerk of the Surrogate's Court

****NOTICE****

Attention is called to the provisions of Sec.11-1.6 of Estates, Powers and Trusts Law and Sec.719 of Surrogate's Court Procedure Act, which make it a misdemeanor and a cause for removal for an executor, administrator, trustee or guardian to deposit or invest estate funds in his individual account or name. All estate funds must be deposited in the name of the executor, administrator, trustee or guardian in his or her representative capacity and to the credit of the estate.

*** THIS CERTIFICATE IS NOT VALID WITHOUT A RAISED SEAL OF THE COURT ***